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PART III.

Legislative Measures and Rules thereunder.

NOTIFICATION.

Notification No. 1013, *dated 5th November* 1924.

Under Rule 8 of the rules for the conduct of business of the Legislative Council published in Notification No. P. 4347—Legis. 13-23-22, dated 5th February 1924, the following Bills :—

(1) to amend the Criminal Tribes Regulation, 1916, and

(2) to consolidate and amend the law relating to Muzrai and other religious and charitable institutions in Mysore are published together with statements of objects and reasons.

By Order,
R. Ranga Rao,
Secretary, Legislative Council.

BILL TO AMEND THE CRIMINAL TRIBES REGULATION, 1916.

Whereas it is expedient to amend the Criminal Tribes Regulation, 1916, His Highness the Maharaja is pleased to enact as follows :— Amendment of Section 4.

1. In Section 4 of the Regulation, the words "or of any part thereof" shall be omitted. Amendment of Section 5.

2. In Section 5 of the Regulation.

(*a*) for the words 'a notice' the word "notice" shall be substituted.

(*b*) the words "or of such part thereof as is directed to be registered" shall be omitted; and

(c) in the proviso, the words "or part thereof" shall be omitted, and after the word 'registration' the words "and may cancel any such exemption" shall be added.

Amendment of Section 13.

3. In Section 13 of the Regulation, after the word "settled" the following shall be added, *viz.*, "and any officer empowered in this behalf by the Government may, by order in writing, vary any notification made under Section 12 or under this section by directing the restriction of such criminal tribe to another area, or, as the case may be, its settlement in another place, in the same district."

Amendment of Section 15.

4. In Section 15, for the last clause beginning with "and the District Magistrate ," substitute "and all the provisions of this Regulation and the rules made thereunder shall apply as if such criminal tribe had been registered in that district."

Amendment of Section 16.

5. In Section 16 of the Regulation, the words "or any part thereof" shall be omitted; and to the same section, the following proviso shall be added, *viz.*:

"Provided that no criminal tribe shall be placed in a settlement unless the necessity for so placing it has been established to the satisfaction of Government after an enquiry held by such authority and in such manner as may be prescribed."

Amendment of Section 18.

6. In clause (*b*) of Section 18 of the Regulation, the word "like" shall be omitted.

Amendment of Section 21.

7. In Sub-Section (2) of Section 21 of the Regulation:—

(*a*) After clause (*e*), the following clause shall be inserted, *viz*: "(*ee*) the circumstances in which members of a criminal tribe shall be required to possess and produce for inspection certificates of identity, and the manner in which such certificates shall be granted: "and

(*b*) after clause (*h*), the following clause shall be inserted, *viz*:

"(*hh*) the authority by whom and the manner in which the inquiry referred to in Section 16 shall be held."

Amendment of Section 23.

8. In Section 23 of the Regulation.

(*a*) to Sub-Section (1) the words "or with fine which may extend to five hundred rupees, or with both" shall be added:

(*b*) in Sub-Section (2) for the words "a rule made under any other clause of" the words "any other rule made under" shall be substituted, and

(*c*) After Sub-Section (2), the following sub-section shall be added, *viz*:

Insertion of new Sections 28A and 28B.

"(3) any person who commits or is reasonably suspected of having committed an offence made punishable by this section which is not a cognizable offence within the meaning of the Code of Criminal Procedure, 1904, may be arrested without a warrant, by any officer in charge of a Police Station or by any Police officer not below the rank of a Sub-Inspector."

9. After Section 28 of the Regulation, the following sections shall be inserted, under the heading "Supplemental," namely:—

"28A. The Government if it is satisfied that adequate provision has been made by the law of any Province of British India, (or any State in India) for the restriction of the movements or the settlement in a place of residency of persons such as are referred to in Section 3, and for securing the welfare of, persons so restricted or settled, may, with the consent of the local Government of that Province, or the Prince or Chief of the State, direct the removal to that Province of any criminal tribe for the time being in Mysore, and may authorise the taking of all measures necessary to effect such removal, provided that no person shall be so removed if the Government is satisfied that he is a subject of Mysore.

28B. The references to a criminal tribe in Sections 4, 5, 14, 17 and 28A shall be deemed to be references to a criminal tribe or any part thereof and the like references in Sections 11, 13 and 16 shall be deemed to be references to a criminal tribe or any part or member thereof."

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STATEMENT OF OBJECTS AND REASONS.

The British Indian Criminal Tribes Act of 1911 on which our Criminal Tribes Regulation is based, has been amended by Act I of 1923. It is considered desirable to adopt these amendments, as far as possible, in order that our law may be in conformity with the British Indian law in this respect. The important changes proposed to be made are the following:—

Clause 3 is intended to give power to the local officers administering the Regulation to direct the transfer of a criminal tribe to another area in the district.

Clause 7 (3) authorizes the arrest without a warrant of members of criminal tribes who commit offences punishable under Section 23, though it may be a non-cognizable offence.

The object of Section 28A, inserted by clause 8 is to provide for the transfer of criminal tribes from the State to any Province of British India. Cases in which it is desirable that there should be such a provision may be:

(*a*) cases where the tribe has wandered into the State from the Province to which it really belongs, and

(*b*) cases where employment is found for a criminal tribe in British India.

This section is only permissive and the transfer cannot be made without the consent of the local Government of the Province to which it is proposed to transfer the tribe.

THE MYSORE RELIGIOUS AND CHARITABLE INSTITUTIONS BILL

Preamble.—Whereas it is expedient to consolidate and amend the law relating to Muzrai and other religious and charitable institutions in Mysore, His Highness the Maharaja is pleased to enact as follows:—

CHAPTER I.

PRELIMINARY.

Short Title and Extent.

1. (1) This Regulation shall be called the Mysore Religious and Charitable Institutions Regulation, 19

(2) It shall come into force from

(3) It extends to the whole of Mysore.

Provided that the Government may by notification in the official Gazette direct that this Regulation, or any specified part thereof, shall not extend to any specified religious or charitable institution or to any specified class of such institutions.

2. (1) In this Regulation, unless there be anything repugnant in the subject or context,

"Muzrai Institution" means and includes:—

(*i*) every temple, mosque or other place of worship or religious service, any chatra or house of feeding or rest for travellers with or without charge, or other institution of a religious or charitable nature, which is now actually in the sole charge of Government, or for the support of which any monthly or annual grant in perpetuity is made from the public revenues, or an inam has been granted and is recognised and registered at the Inam Settlement as a *devadaya* or *dharmadaya* grant;

(*ii*) every institution of a religious or charitable nature which, under the provisions of this Regulation, has been taken under the sole management of Government so long as it remains under such management.

(2) "Muzrai Officer" shall mean the Deputy Commissioner of the district in which any religious or charitable institution or the whole or any part of the property thereof is situate, and an Assistant Commissioner in charge of a taluk or taluks to whom the power of a Muzrai Officer under any of the sections of this Regulation may be delegated by the Government in respect of the taluk or taluks comprised in his charge.

CHAPTER II.

CONTROL AND MANAGEMENT OF MUZRAI INSTITUTIONS.

3. The Chief Controlling authority in all matters connected with Muzrai institutions is vested in the Government.

4. The Government may appoint an officer to be called the Muzrai Commissioner and may from time to time impose and confer upon him such duties and powers of appeal, superintendence and control as it may think fit in respect of all or any particular class of religious and charitable institutions.

5. Subject to such rules and conditions as the Government may prescribe, the Muzrai Officer of the district shall be the immediate controlling authority in respect of all the Muzrai institutions in the district and subject to his authority the Assistant Commissioner in charge of a Revenue Sub-Division or the Amildar of a taluk may perform such duties and exercise such powers as may be imposed and conferred upon them by any special or general orders of the Government.

6. Government may appoint Dharmadarsis or Nazarins of wakfs, as the case may be, to manage the affairs of one or more Muzrai institutions and by rules framed in this behalf determine the manner of selection, fix the term of office and regulate the powers and duties of such Dharmadarsis and Nazarins.

The Government may delegate to the Muzrai Commissioner or the Deputy Commissioner the power of appointing Dharmadarsis or Nazarins of wakfs in respect of any institution or class of institutions within their jurisdiction.

7. In addition to or in lieu of Dharmadarsis and Nazarins appointed under Section 6, Government may subject to such rules as they may frame in this behalf, appoint a Committee of persons chosen by election or otherwise for the management of one or more Muzrai institutions.

8. Notwithstanding anything to the contrary contained in any Regulation or other enactment in force in Mysore, the Government may also at any time with the consent of a local authority transfer to such authority the management of any Muzrai institution situated within the local limits of its jurisdiction, subject to such limitations as the Government may prescribe in this behalf. In every such case the funds necessary for such management shall be placed at the disposal of the local authority concerned.

9. (1) No transaction purporting to alienate any inam land granted by the Government to any Muzrai institution for its up-keep or for the maintenance of any person rendering service therein or for public services of a religious or charitable nature, or purporting to create adverse interest in a third party with respect to such land, either by sale, gift, mortgage or otherwise shall be valid unless it is authorised by the general or special orders of the Government.

(2) No lease of a property belonging to a Muzrai institution for a term exceeding five years shall be valid unless previously approved by Government.

10. Whenever it comes to the knowledge of a Muzrai Officer that the provisions of Section 9 have been contravened he may after such enquiry as he may deem necessary issue notice to the alienee or the party in possession to restore the lands to the institution to which they belong within six months from the date of service of such notice and in default of compliance the Muzrai Officer may summarily resume and restore such lands to the said institution:

Provided that when the alienation was made prior to the 31st day of January 1853, but within 50 years computing the period of possession up to the 14th day of December 1867 and the lands of villages so alienated are not restored voluntarily by the holder, the alienation shall be confirmed subject to the payment of a *jodi* of one-half the assessment by the party in possession of the said institution.

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11. Whenever it is deemed necessary to institute a suit on behalf of any Muzrai institution, the Muzrai Officer may file a suit himself or authorise any two or more Dharmadarsis or Nazarins to do so and such suit shall be entertained and disposed of by the Civil Court having jurisdiction over the subject matter of the suit as if it was filed under the provisions of Order XXXI of the Civil Procedure Code.

12. The *jodi* payable under the proviso to Section 10 and arrears of rent or revenue due to a Muzrai institution in respect of property belonging to that institution may be recovered by the officers empowered to recover revenue due to Government and in the same manner as arrears of land revenue due to Government.

CHAPTER III.

PUBLIC RELIGIOUS AND CHARITABLE INSTITUTIONS OTHER THAN MUZRAI INSTITUTIONS.

13. (1) Government may temporarily undertake the management of a public religious or charitable trust (*a*) when the creator of the trust so desires or (*b*) when the person in actual management or appointed manager or trustee disclaims, dies, or is for a continuous period of six months absent from Mysore, or leaves Mysore for the purpose of residing abroad, or is declared an insolvent, or desires to be discharged from the trust, or refuses or becomes, in the opinion of the principal civil court of original jurisdiction, unfit or personally incapable to act in the trust or accepts an inconsistent trust, and there is no custom, usage or provision in the instrument of trust or express or implied reservation by the creator of the trust for the management of the endowment or trust under such circumstances.

(2) When any religious or charitable institution comes under the management of Government it shall be treated as a Muzrai institution so long as it remains in charge of the Government and the provisions of this Regulation with regard to Muzrai institutions shall apply to it.

Reference by the Muzrai Officer to District Judges in case of disputes.

14. Whenever a dispute arises as to whether any charitable or religious trust has been actually created in respect of any institution, endowment or property, the Muzrai Officer may make a reference to the Court of the District Judge in whose jurisdiction the institution or the greater part of the property thereof is situated.

Disposal of the reference.

15. The letter of reference shall be registered and disposed of as a suit between the Muzrai Officer as plaintiff and the parties in possession of the property or opposing the contention of the Muzrai Officer as defendants.

Award and apportionment of cost.

16. In disposing of references and suits under the foregoing section, the Court shall have full power to apportion and award costs either against the parties or against the estate in dispute; provided that no Court fees shall be charged in respect of proceedings following on a reference under Section 14.

Enquiry regarding mismanagement of the property of a religious or charitable institution.

17. When it is brought to the notice of the Muzrai Officer that any religious or charitable institution dedicated for the benefit of the public or a defined section of the public or any property pertaining thereto is being grossly mismanaged, he may institute an enquiry into the truth of the allegations against the persons in possession and management of the property or the institution.

Order by Muzrai Officer in such cases.

18. If it is proved that there has been gross mismanagement of the institution or of any property pertaining thereto or any misapplication or misappropriation of any part of the property, or any breach of trust in respect thereof, the Muzrai Officer may, with the previous sanction of Government,

(1) take the institution under the management of Government;

(2) order that the property which has been mismanaged or misappropriated shall be delivered back either to the institution or to the possession of Government on behalf of the institution;

(3) obtain security for the proper performance of the trust or management of the property;

(4) frame a scheme for the proper management of the institution or management of its property and the application thereof; and

(5) pass such other ancillary or necessary orders as the case may require in accordance with justice and equity.

Procedure in case of wrongful alienation of property or charitable institution.

19. (1) Where property belonging to a religious or charitable institution has been wrongfully alienated by way of sale, barter, mortgage, lease or otherwise, the Muzrai Officer may, within three years from the date of such alienation, give notice to the alienee and hold a summary enquiry in accordance with the provisions of Chapter XII, of the Mysore Land Revenue Code and direct that possession of such property be restored to the institution or that Government assume possession thereof on behalf of the institution.

(2) When property belonging to a religious or charitable institution is taken possession of by Government under Sub-Section (1) it shall be subject to the same incidents as property belonging to a Muzrai institution so long as it continues to be in the possession of Government.

Failure of the object of the trust.

20. Where the whole or part of the objects of a religious or charitable trust has failed, the Muzrai Officer may, subject to such general rules or special orders as Government may have issued, after notification in the official Gazette and hearing such parties as may appear in an enquiry, pass an order directing that the property or the proceeds thereof in respect of which the object has failed, may be utilised for some object of a similar nature, and may frame a scheme for administration thereof.

Suit by a person aggrieved by an order under Sections 18, 19 and 20.

21. Any person against whom an order has been passed under Sections 18 and 19 directing dispossession or recovery of possession of property or any person who is aggrieved by an order of the Muzrai Officer passed under Section 20 may, within six months from the date of such order, file a suit in the Court of the District Judge, in whose jurisdiction the greater part of the property is situate, for cancellation of such order, making the Muzrai Officer, one of the defendants.

If no such suit has been filed or if it has been dismissed by the Court, the Muzrai Officer, may, after the lapse of six months from the date of his original order, execute his order and may exercise for that purpose all the powers of a Civil Court in executing decrees:

Provided that in cases in which the property to be disposed of under Section 20 exceeds Rs. 300 in value or the annual income thereof is more than Rs. 300 in value, the sanction of Government shall have been obtained for the order.

Power to make rules for the maintenance of accounts, etc., by persons in charge of religious and charitable institutions.

22. Government shall have power to make rules directing that persons in charge of religious or charitable institutions shall—

(*a*) keep regular accounts of income and expenditure,

(*b*) submit such returns and supply such information as may be necessary,

(*c*) allow such inspection and verification as may be necessary;

and may, by said rules, prescribe a penalty not exceeding Rs. 100 for any infraction thereof.

Investment of Trust Money.

23. All moneys belonging to a public religious or charitable institution and not required for immediate use shall be invested in the Government Savings Bank or in any of the following securities, and in no others, *viz*:—

(*a*) In promissory notes, debenture, stock or other securities of the Government of Mysore or of the Government of India or in securities guaranteed by the Government of Mysore;

(*b*) In stock or debentures of, or shares or as deposits in, Railway or other Companies approved by Government;

(*c*) In any other security expressly authorised by the Instrument of Trust or approved by Government;

(*d*) On the purchase or on the first mortgage of immoveable property situate in Mysore; provided that in the latter case the property is not a lease-hold for a term of years and that the value of the property exceeds by one-half, or if it consists of buildings exceeds by three-fourths, the mortgage money.

CHAPTER IV.

MATHAS AND SIMILAR INSTITUTIONS.

Exemption of Mathas from the operation of the foregoing provisions.

24. The provisions of Chapters II and III shall not apply to Mathas and other institutions of a similar nature or to the property belonging to them which are in the possession of Mathadipathis or other persons entitled by law or general or particular usage to exercise powers of management or ownership.

When management of Mathas may be assumed by Government

25. Government may take over the possession and management of the property of any Matha—

(1) When the Mathadipathi voluntarily applies for such help and places the institution or its property under the management of Government;

(2) when he is dead or has left the country and has not been heard of for more than seven years, and has not made legal and satisfactory arrangements for the carrying on of the ordinary business of the institution, and there is no successor duly appointed, according to law or custom applicable to succession to the office; and

(3) when he is a minor without a legally appointed guardian, fit and willing to act as such or is by reason of physical or mental infirmity unable to manage the affairs of the Matha.

26. When the Government has reason to believe that any Mathadipathi has been grossly mismanaging the property of the institution or has alienated or is attempting to alienate the whole or any part of such property for improper purposes, the Government may order an enquiry by a Committee of not less than three persons, one at least of whom shall be a disciple of the Matha who is not in the service of the Government

27. On the completion of the said enquiry the Committee shall submit a report of the result thereof to the Government who on considering the circumstances reported may take over the management of the institution or pass such orders as it may deem fit in the interests of the institution.

28. When any Matha has come under the management of the Government under the provisions of this chapter, it shall be competent to the Government to exercise all the powers possessed by the Mathadipathi for the management of the institution and its property including power to arrange for the proper performance of the customary religious and charitable services, until a proper Mathadipathi is appointed in accordance with law or usage.

29. Whenever any Matha has come under the management of the Government, it shall be competent to the Government, after making due provision for

(1) the maintenance of the Mathadipathi and his dependents, if any,

(2) the performance of the customary religious and charitable services, and

(3) the preservation and proper management of the property belonging to the Matha,

to utilise the income of the Matha on objects of charity and for the spread of religious instruction according to the tenets of the Matha.

30. Where any inam land is granted by the Government for the upkeep of any Matha, the Mathadipathi shall not alienate such land and all such alienations unless made with the previous sanction of Government shall be null and void.

In cases of alienation in contravention of the foregoing provision the Muzrai Officer may after enquiry issue notice to the alienee or party in possession to restore the lands to the Matha to which they belong within six months from the date of service of the said notice and in default of compliance the lands may be summarily resumed by them and restored to the Matha:

Provided that when such alienation was made prior to the 31st day of January 1853, but within 50 years computing the period of possession up to the 14th day of December 1867, the lands or villages so alienated shall, if not voluntarily restored by the holder, be confirmed subject to a jodi of one-half the assessment (that is, survey valuation), the jodi or assessment so imposed being payable to the Matha from which they were alienated.

31. The provisions of this chapter shall apply to religious institutions presided over by *sajjadas* and other institutions of a similar nature.

CHAPTER V.

PUJARIS AND OTHER HEREDITARY TEMPLE SERVANTS.

Enquiry into the claims to the office of a Pujari or other servant of a Muzrai institution.

32. When there is a dispute about the office of a Pujari or other servants of a Muzrai institution which by law or usage descends by hereditary right, the Amildar or the Revenue Sub-Division Officer of the taluk in which the institution is situated, as the Muzrai Officer may direct, shall hold an enquiry in the presence of the parties interested and record statements and evidence relevant to the case.

Decision by Deputy Commissioner or Assistant Commissioner.

33. The Muzrai Officer shall, on receipt of the record of enquiry, make such further enquiry as he thinks necessary and decide the case on its merits.

No temple office or service in a Muzrai institution to be hereditary, except under certain circumstances.

34. No office or service in a Muzrai institution shall be deemed to descend by hereditary right unless it has been conferred or recognised originally with an express stipulation to that effect in writing by a competent authority or has been held successively by three generations of the same family in succession in due legal course.

Appointment of a Pujari or other officer in a Muzrai institution.

35. Where there is no claimant entitled to succeed to the office of a Pujari or other office in a Muzrai institution, the Muzrai Officer may appoint any other person competent for such office.

Removal of a Pujari at the instance of Bhaktas.

36. Where a majority of not less than three-fourths of the devotees of a Muzrai temple resident in the village or town in which the temple is situated object to the employment as Pujari of a person claiming by hereditary right, such person shall be removed from office provided that the objectors pay to the claimant such amount by way of compensation as may be fixed by the Muzrai Officer.

CHAPTER VI.

MISCELLANEOUS.

Mode of enquiry referred to in Sections 11, 17, 20 and 26.

37. The enquiry referred to in Sections 11, 17, 20 and 26 shall be conducted in the manner prescribed for a formal enquiry under the Mysore Land Revenue Code, after issue of notices to the parties interested and the Muzrai Officer or other person or persons holding the enquiry shall have all the powers of a revenue officer empowered to conduct such formal enquiry.

38. (1) Every order passed under this Regulation by a Muzrai Officer which is not liable to be set aside by a suit filed under any of the provisions of this Regulation, shall be subject to an appeal to the Muzrai Commissioner:

Provided that when the order is passed by an Assistant Commissioner exercising the powers of a Muzrai Officer, it will be appealable in the first instance to the Deputy Commissioner.

(2) An appeal will lie to Government against every order passed by the Muzrai Commissioner under this Regulation.

(3) Government may at any stage withdraw any appeal or proceeding pending before the Muzrai Commissioner and dispose of the same or re-transfer the same for disposal to the Muzrai Commissioner.

(4) Government may transfer to the Muzrai Commissioner for disposal all or any of the appeals that may be pending before it when this Regulation comes into force.

39. The Government, or the Muzrai Commissioner or any Muzrai Officer may call for, and examine the records of, any enquiry or the proceedings of any officer subordinate to it or him; for the purpose of satisfying itself or himself as to the legality or propriety of any decision or order passed, and as to the regularity of proceedings of such officer.

If, in any case, it shall appear to Government or to such officer as aforesaid that any decision or order or proceedings should be modified, annulled or reversed, the Government or such officer may pass such order thereon as it or he deems fit.

Bar of jurisdiction of Civil Courts in cases falling under the Regulation.

40. In all matters in which a Muzrai Officer, the Muzrai Commissioner or the Government, has power to pass any order or to take any action under this Regulation, Civil Courts shall exercise jurisdiction only to the extent allowed by this Regulation.

41. Government may frame rules, not inconsistent with this Regulation.

(1) defining the powers and duties of Amildars and Assistant Commissioners in charge of the Revenue Sub-Divisions in respect of Muzrai institutions in their respective jurisdictions,

(2) defining the powers and duties of Dharmadarsis and Nazarins of wakfs,

(3) regulating the appointment of Muzrai servants to the various institutions and defining their duties,

(4) prescribing the scale of expenditure of the Muzrai institutions,

(5) regulating the investment of surplus funds of Muzrai institutions, and

(6) generally to carry out the purposes of this Regulation.

42. The Mysore Muzrai Regulation VI of 1913 is hereby repealed:

Provided that the notifications published, declarations, rules and appointments made, powers conferred, rights acquired, liabilities incurred, acts done or sufferred under the Mysore Muzrai Regulation VI 1913 shall so far as they are consistent with this Regulation have the same force and effect as if they had been respectively made, conferred, acquired, incurred, done or sufferred under this Regulation and by the authority empowered thereby in that behalf.

STATEMENT OF OBJECTS AND REASONS.

The Mysore Muzrai Regulation, which was enacted in 1913 has been found in actual working to be inadequate for the purposes for which it was intended and some of its provisions are also not free from ambiguity. The need for amending Section 14 of the Regulation, in particular, came prominently to the notice of Government in connection with a case of wrongful alienation of inam lands granted to a Matha, as this section contains a proviso, inconsistent with the Inam Rules of 1877, to the effect that no person who has had adverse possession of such lands for a period of twelve years shall be deprived of that possession. The Regulation has to be brought into confirmity with these rules, which it was not intended to repeal, so that there may be no room for any doubt upon the point. In proposing an amendment of the Regulation for this purpose, opportunity has also been taken to recast with suitable modifications and deal in separate chapters with the provisions applicable to Muzrai and other religious and charitable institutions respectively, which are not now clearly marked.

The Head of the Muzrai Department is not an authority recognised by the present Muzrai Regulation. He was till lately an officer of the rank of Deputy Commissioner performing such functions as were assigned to him under the executive orders of the Government. As he is now replaced by an officer of a higher status under the designation of Muzrai Commissioner, necessary provision is made in the Bill so as to give effect to the intentions of Government as to the duties to be discharged and the powers to be exercised by this officer under the statute.

No. 1050, *dated 8th November* 1924.

Under Rule 8 of the rules for the conduct of business of the Mysore Legislative Council, the accompanying bill to amend the Mysore Vaccination Regulation, I of 1906, is published for general information with the statement of objects and reasons.

By Order,
R. RANGA RAO,
Secretary, Mysore Legislative Council.

BILL TO AMEND THE MYSORE VACCINATION REGULATION, I OF 1906.

Whereas it is expedient to amend the Mysore Vaccination Regulation I of 1906, His Highness the Maharaja is pleased to enact as follows :—

For Section 2 of the Regulation, the following sections shall be substituted, namely :—

"2. Vaccination shall be compulsory in all Municipalities constituted under the Mysore Municipal Regulation, 1906, and in the local area under the control of the Kolar Gold Fields Sanitary Board.

"3. The Government may, by notification in the Official Gazette, declare that Vaccination shall be compulsory in any other local area from and after a date to be specified in such notification and Government may, in like manner, cancel or modify any such declaration.

"4. The Government may make rules to regulate the vaccination of persons in the local areas where vaccination is or has been declared to be compulsory, and bye-laws, not inconsistent with these rules may be made from time to time with the approval of Government by a local body within whose local area vaccination has been declared to be compulsory.

"5. For every breach of a rule or bye-law under Section 4, the offender shall be liable to a fine not exceeding fifty rupees.

Provided that no penalty shall be imposed on any person by reason of non-vaccination, if he has already had small-pox."

STATEMENT OF OBJECTS AND REASONS.

Under the Mysore Vaccination Regulation as in force in Mysore at present the Government may, by notification in the Official Gazette, declare that vaccination shall be compulsory in any local area from and after a date and during a period to be fixed in such notification. If vaccination is to continue to be compulsory in any local area, the period of duration so fixed will have to be extended from time to time.

The Local Self-Government Conference of 1923 passed a resolution that vaccination in Municipal areas be made compulsory as a permanent measure, and that the Vaccination Regulation be extended to all Village Panchayet areas. A majority of Municipal Councils are in favour of removing the time limit and making vaccination compulsory either permanently or indefinitely. As regards rural areas it is rather premature to make vaccination compulsory as a permanent measure and so the present practice of applying the provisions of the Regulation to particular areas and extending the period from time to time will continue.

Amendments are accordingly proposed to the Vaccination Regulation as in the accompanying Bill.